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**FACSIMILE TRANSMITTAL SHEET**

TO:	FROM:
Morgan, Eileen P., Examiner	John A. Fisher, Reg. No. 28,505 
COMPANY:	DATE:
USPTO	DECEMBER 2, 2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571 273-8300	4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
571 272-4488	004.0050
RE:	RECIPIENT'S REFERENCE NUMBER:
Response to Election/Restriction Requirement	10/821,758

URGENT

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

PLEASE RECYCLE

NOTES/COMMENTS:

**EXAMINING GROUP ART UNIT 3723  
FORMAL COMMUNICATION  
INTENDED FOR ENTRY**

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PTO/SB/21 (08-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

3

Application Number

10/821,758

Filing Date

04/09/2004

First Named Inventor

David T. Marquardt

Art Unit

3723

Examiner Name

Morgan, Eileen P.

Attorney Docket Number

004.0050

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Ingrassia Fisher &amp; Lorenz PC

Signature

Printed name

John A. Fisher

Date

December 2, 2005

Reg. No.

28,505

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

John A. Fisher

Date

December 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Marquardt et al.

Group Art Unit: 3723

Serial No.: 10/821,758

Examiner: Morgan, Eileen P.

Filed: 04/09/2004

Attorney Docket No.: 004.0050

Confirmation No. 1870

For: CMP APPARATUS AND LOAD CUP MECHANISM

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RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Restriction Requirement mailed November 7, 2005 in which two allegedly distinct inventions were identified as follows:

Invention I – claims 1-14 and 24; and

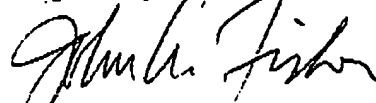
Invention II – claims 15-23 and 25.

In response, Applicants through their representatives and attorneys, hereby elect to prosecute claims 1-14 and 24 without traverse.

Should the Examiner have any questions or wish to further discuss this application, Applicants request that the Examiner contact the undersigned at (480) 385-5060.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge deposit account no. 50-2091 for any fee which may be due.

Respectfully submitted,



John A. Fisher  
Registration No. 28,505

Date: December 2, 2005

Ingrassia Fisher & Lorenz, PC  
Customer No. 29906  
(480) 385-5060